

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

JOHNNY MOORE,

Petitioner, : Case No. 1:11-cv-155
-vs- : District Judge William O. Bertelsman
Respondent. : Magistrate Judge Michael R. Merz

WARDEN, London Correctional Institution,

Respondent.

ORDER TO THE CLERK

This habeas corpus case is before the Court on the docketing of Petitioner's Motion for Certificate of Appealability (Doc. No. 34) and his Motion for Leave to Appeal *in forma pauperis* (Doc. No. 36). Petitioner has captioned these documents as if they were being filed in the Sixth Circuit Court of Appeals and indeed they should be: Judge Bertelsman denied a certificate of appealability and certified an appeal would not be taken in objective good faith, so Petitioner must file for both forms of relief in the appellate court.

Accordingly, the Clerk is directed to remove these Motions from this Court's docket and transmit them to the Clerk of the Court of Appeals.

June 13, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge